REMARKS

Claims 1-18 are pending in the application. Claims 1, 5, 7, 8 and 11 have been amended herein. Claims 2-4, 9-10 and 13-18 have been canceled. Favorable reconsideration of the application, as amended, is respectfully requested.

I. OBJECTION TO CLAIMS UNDER 35 CFR § 175(C)

Claims 3, 9, and 15 are objected to as being in improper depended form for failing to further limit the subject matter of the previous claim. Claims 3, 9, and 15 have been cancelled.

II. OBJECTION TO CLAIMS UNDER 35 USC § 112

Claims 3, 9, and 15 stand rejected under 35 USC 112 as being indefinite.

The examiner indicates that the term data structure is indefinite because applicant is using the term in the claim to mean "actual data" while the accepted meaning is "a way of storing data in a computer so that it can be used efficiently". Claims 3, 9, and 15 have been cancelled. Use of the term data structure in amended claims 1 and 7 is a reference to a structure in which data is composed – not the actual data.

The examiner indicates that a claim limitation within claims 3, 9, and 15 is unclear. Claims 4-6, 10-12, and 16-18 are also rejected as depending from one of claims 3, 9, and 15. Claims 4, 10, and 16-18 have been canceled. Claims 5 and 11 have been amended such that claims 5-6, and 11-12 no longer depend from claim 3, 9, or 15.

III. REJECTION OF CLAIMS UNDER 35 USC § 102

Claims 1-18 stand rejected under 35 USC 102 as being anticipated by US Patent 6,327,578 to Linehan. Claims have been canceled. Claims 1, 5, 7, 8, and 11 have been amended.

Linehan teaches a system for credit card processing where a merchant obtains an authorization token approving a credit card transaction from a credit card issuing system through the consumer's system (called a wallet) as shown in Figure 2a or directly from the issuer system as shown in Figure 4 (C8, L16-L19). The merchant passes the authorization token to the merchant's bank over the Internet and payment against the authorization is requested by the merchant's bank over a private network. (See generally Figure 2a)

To assure that the authorization from the credit card issuer is valid, the following process shown in Figure 3 used:

1. The merchant sends a wallet initiation message to the consumer. The wallet initiation message includes the payment amount and is digitally signed by the Merchant (Figure 3, Step 304).

2. The Consumer authenticates himself or herself to the wallet software using a User ID/Password combination (Figure 3, step 306).

3. The wallet software sends the initiation message to a gateway system of the credit card issuer (Figure 3, step 306).

4. The Issuer verifies the merchant's digital signature (Figure 3, step 308)

5. If authorized, the Issuer sends a signed authorization token along with the Issuer's certificate. The signed authorization token comprises the initiation message and a reference to the consumer's credit card (Figure 3, step 310).

6. The consumer passes the authorization token to the merchant.

In a various shown in Figure 4, the authorization token may be passed directly to the merchant (Figure 4 and C8, L16-L19). In a variation shown in Figure 2c, wherein a smart card is used to authenticate the consumer. Prior to generating the authorization token, the Issuer can verify that the consumer's smart card is present by passing a challenge message to the consumer computer which passes the challenge to the smart card reader which passes the challenge to the smart card. The smart card signs the challenge with its digital signature and returns the

signed challenge response. The issuer verifies the smart card's signature to verify the consumer's identity. (Figure 2C and C7, L21-L38).

In all of the systems disclosed by Lineham, the authorization token is generated by passing the transaction (or an indication of the transaction) to the issuer gateway and then the authorization token is generated by the issuer gateway. The processed used by the issuer for generating the authorization token is shown in Figure 8.

In general, the applicant's invention a method of authorizing payment of an electronic fund transfer disbursement file from a remote system without transferring the electronic fund transfer disbursement file to the remote system and the process of generating an authorization response message includes a unique multi step process not disclosed in Lineham nor the other art of record.

Independent Claims 1 and 7

The applicant's invention, as set forth in amended claim 1, comprises a method for obtaining an approval of an electronic fund transfer disbursement file from a remote system and transferring the electronic fund transfer disbursement file to a payments processor, the method comprises the following steps:

Generating a digest of the electronic fund transfer disbursement file and transferring the digest to the remote system.

Authorization control code is transferred to the remote system. The authorization control code is executed by the remote system to return an authorization response message with a predetermined data structure by performing the following steps:

A. generating additional message attributes.

B. obtaining a digital signature of a combination of the digest and the additional message attributes. The combination of the digest and the additional message attributes is referred to as authenticated attributes and the digital signature of the combination is referred to as the digital signature of the authenticated attributes. The digital signature of the authentication attributes is

obtained by passing the additional attributes to a file authentication component of the remote system as part of a digital signature request message.

C. generating a dummy data string.

D. obtaining a dummy authorization response message with the predetermined data structure by passing the dummy data string to the file authentication component as part of an authorization response request message. The dummy authorization response message includes:

a digest of the dummy data string;

a digital signature of the digest of the dummy data string; and

a digital certificate corresponding to the digital signature.

E. generating the authorization response message from the dummy authorization response message by making the following replacements:

replacing the digest of the dummy data string with the digest of the electronic fund transfer disbursement file; and

replacing the digital signature of the digest of the dummy data string with the digital signature of the digest of the electronic fund transfer disbursement file;

receiving the authorization response from the remote system; and

transferring an electronic funds submission to the payments processor over a secure connection, the electronic funds submission comprising the electronic funds transfer disbursement file and the authorization response.

The applicants invention, as set forth in amended claim 7, comprises the a method for obtaining an approval of an electronic fund transfer disbursement file from a remote system and transferring the electronic fund transfer disbursement file to a payments processor, the method comprises the following steps.

generating a digest of the electronic fund transfer disbursement file by performing a hash on the electronic fund transfer disbursement file;

transferring the digest to the remote system;

receiving an authorization response from the remote system, the

authorization response being of a predetermined data structure and being generated by the remote system performing the following steps:

A. generating additional message attributes;

B. generating a digital signature of a combination of the digest and the additional message attributes. The combination of the digest and the additional message attributes is referred to as authenticated attributes and the digital signature of the combination is referred to as the digital signature of the authenticated attributes.

C. generating a dummy data string;

D. generating a dummy authorization response message with the predetermined data structure, the dummy authorization response message includes:

a digest of the dummy data string;

a digital signature of the digest of the dummy data string; and

a digital certificate corresponding to the digital signature.

E. generating the authorization response message from the dummy authorization response message by making the following replacements:

replacing the digest of the dummy data string with the digest of the electronic fund transfer disbursement file; and

replacing the digital signature of the digest of the dummy data string with the digital signature of the digest of the electronic fund transfer disbursement file; and

transferring an electronic funds submission to the payments processor over a secure connection, the electronic funds submission comprising the electronic funds transfer disbursement file and the authorization response.

With respect to independent claims 1 and 7, Neither Linehan nor the other art of record teaches a method of obtaining approval an electronic fund transfer disbursement file that includes at least a process of generating an authorization response message of a predetermined data structure by first generating a dummy

authorization response message of the predetermined data structure using a dummy data string as its input and then substituting data elements within the dummy authorization response message to generate the authorization response message.

Claims 5, 6, 8, 11, and 12.

Each of claims 5, 6, 8, 11 and 12 depend from one of independent claims 1 or 7 and therefore can be distinguished over Linehan and the other art of record for the same reasons. Further, the additional elements and or steps recited in such claims further distinguish such claims over Linehan and the other art of record.

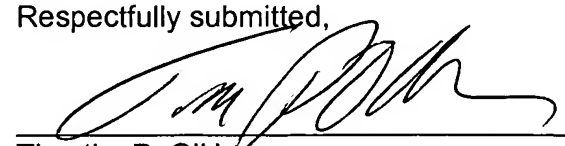
IV. CONCLUSION

Accordingly, claims 1, 5-8, and 11-12 are believed to be allowable and the application is believed to be in condition for allowance. A prompt action to such end is earnestly solicited.

Should the Examiner feel that a telephone interview would be helpful to facilitate favorable prosecution of the above-identified application, the Examiner is invited to contact the undersigned at the telephone number provided below.

Should a petition for an extension of time be necessary for the timely reply to the outstanding Office Action (or if such a petition has been made and an additional extension is necessary), petition is hereby made and the Commissioner is authorized to charge any fees (including additional claim fees) to Deposit Account No. 501825.

Respectfully submitted,



Timothy P. O'Hagan
Reg. No. 39,319

DATE: 8-14-05

Timothy P. O'Hagan
8710 Kilkenny Ct
Fort Myers, FL 33912
(239) 561-2300